

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANNA-NICKOLE HENRY,

Plaintiff,

v.

KILOLO KIJAKAZI,¹
*Acting Commissioner of Social
Security,*

Defendant.

No. 4:20-CV-01294

(Chief Judge Brann)

(Magistrate Judge Arbuckle)

ORDER

MARCH 29, 2022

Anna-Nickole Henry filed this action seeking review of a decision of the Acting Commissioner of Social Security (“Commissioner”) denying Henry’s claim for supplemental security income.² In March 2022, Magistrate Judge William I. Arbuckle issued a Report and Recommendation recommending that this Court affirm the Commissioner’s decision and close this case.³

Henry filed timely objections to the Report and Recommendation, asserting that Magistrate Judge Arbuckle erred in recommending that the administrative law judge had adequately evaluated the opinion of Gregory Sullivan, MD.⁴ “If a party

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Kilolo Kijakazi, as the successor officer to Andrew Saul, Commissioner of Social Security, is automatically substituted as Defendant in this action.

² Docs. 1, 17.

³ Doc. 22.

⁴ Doc. 23.

objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”⁵ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁶

Upon *de novo* review of the record, the Court finds no error in Magistrate Judge Arbuckle’s conclusion that the Commissioner’s decision is supported by substantial evidence. Although Henry disputes some of Magistrate Judge Arbuckle’s conclusions, Magistrate Judge Arbuckle correctly determined that, as a whole, the Commissioner’s decision is supported by substantial evidence. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge William I. Arbuckle’s Report and Recommendation (Doc. 22) is **ADOPTED**;
2. The Commissioner’s decision is **AFFIRMED**;
3. Final Judgment is entered in favor of Defendant and against Henry pursuant to Fed. R. Civ. P. 58 and sentence four of 42 U.S.C. § 405(g);
and

⁵ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.

4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge